

ADDENDUM TO THE FACT SHEET
FOR NATIONAL POLLUTANT DISCHARGE
ELIMINATION SYSTEM (NPDES)
PERMIT NO. WA0020303

I. GENERAL INFORMATION

Facility: City of Orting Sewage Treatment Plant
902 Rocky Road Northeast
Orting, WA 98360-0489

II. APPLICATION REVIEW

An application for permit reissuance was submitted to the Department of Ecology (Department) on December 19, 2003, and January 22, 2004, and accepted by the Department on January 27, 2004. The scope and manner of any review of an application for replacement of permit by the Department shall be sufficiently detailed as to insure the following:

- That the permittee is in substantial compliance with all of the terms, conditions, requirements and schedules of compliance of the expired permit;
- That the Department has up-to date information on the permittee's production levels; permittee's waste treatment practices; nature, content, and frequencies of permittee's discharge; either pursuant to the submission of new forms and applications or pursuant to monitoring records and reports resubmitted to the Department by the permittee; and
- That the discharge is consistent with applicable effluent standards and limitations, water quality standards, and other legally applicable requirements listed in WAC 173-216 and WAC 173-200.

The application for City of Orting Sewage Treatment Plant was reviewed and indicates that no changes in the treatment characteristics of the effluent process or volume of wastewater has occurred.

III. PERMIT REAUTHORIZATION

This fact sheet addendum accompanies the draft permit, which is to be reauthorized to City of Orting Sewage Treatment Plant for the discharge of wastewater to Carbon River. The previous fact sheet is also part of this administrative record and explains the basis for the discharge limitations and conditions of the reauthorized permit.

The existing permit requirements, including discharge limitations and monitoring, do not need to be changed to protect the receiving water quality. The previous fact sheet addressed conditions and issues at the facility at the time when the previous permit was issued, and statements made reflected the status in 1999. Since the issuance of the current permit, the Department has not received any information which indicates that environmental impacts from the discharge that were not evaluated at the time of the last permit issuance is persuasive enough to undertake a complete renewal of the permit. The reauthorized permit is virtually identical to the previous permit issued on July 6, 1999.

The discharge limits and conditions in effect at the time of expiration of the previous permit are carried over unchanged to this reauthorized permit. Assessment of compliance and inspections of the facility during the previous permit term indicate that the facility should not be placed on a high priority for permit renewal. The Department assigns a high priority for permit renewals in situations where water quality would materially benefit from a more stringent permit during the next five-year cycle.

The permit reauthorization process, in concert with the routine renewal of high priority permits, allows the Department to reissue permits in a timely manner and minimize the number of active permits that have passed expiration dates. A system of ranking the relative significance of the environmental benefit to be gained by renewing a permit rather than reauthorizing a permit is followed during the Department's annual permit planning process. Each permit that is due for reissuance is assessed and compared with other permits that are also due for reissuance. The public is notified and input is sought after the initial draft ranking has tentatively established which permits are likely to be completely renewed and which are likely to be reauthorized. All relevant comments and suggestions are considered before a final decision is made regarding the type of reissuance for each permit.

The only changes to the previous permit are the submittal date requirements. Submittal requirements from the previous permit that were completed and submitted and do not require additional or continued assessment were removed from this permit. The submittal dates for the other standard compliance and submittal requirements that have been carried over from the past permit into this reauthorized permit have been adjusted to the proposed permit schedule. The Department considered these submittals necessary in the previous permit and no information has come forward to cause a reconsideration of the submittal requirement.

Public notice of the availability of the draft reauthorized permit is required at least 30 days before the permit is issued [Washington Administrative Code (WAC) 173-220-050]. The fact sheet and draft permit are available for review (see Appendix A—Public Involvement for more detail on the Public Notice procedures).

After the public comment period has closed, the Department will summarize the substantive comments and the response to each comment. The summary and response to comments will become part of the file for the permit and parties submitting comments will receive a copy of the Department's response. Comments and the resultant changes to the permit will be summarized in the fact sheet addendum, Appendix D—Response to Comments.

IV. RECOMMENDATION FOR PERMIT ISSUANCE

The Department proposes that this permit be issued for five years.

APPENDIX A – PUBLIC INVOLVEMENT INFORMATION

The Department has determined to reauthorize a discharge permit to the applicant listed on page 1 of this fact sheet addendum. The permit contains conditions and effluent limitations that are described in the fact sheet.

Public notice of application was published on February 12, 2004, in the *Puyallup Herald* to inform the public that an application had been submitted and to invite comment on the reauthorization of this permit.

The Department will publish a Public Notice of Draft (PNOD) on March 11, 2004, in the *Puyallup Herald* to inform the public that a draft permit and fact sheet are available for review. Interested persons are invited to submit written comments regarding the draft permit. The draft permit, fact sheet addendum, and fact sheet are available for inspection and copying between the hours of 8:00 a.m. and 5:00 p.m. weekdays, by appointment, at the regional office listed below. Written comments should be mailed to:

Water Quality Permit Coordinator
Department of Ecology
Southwest Regional Office
P.O. Box 47775
Olympia, WA 98504-7775

Any interested party may comment on the draft permit or request a public hearing on this draft permit within the 30-day comment period to the address above. The request for a hearing shall indicate the interest of the party and the reasons why the hearing is warranted. The Department will hold a hearing if it determines there is a significant public interest in the draft permit (WAC 173-220-090). Public notice regarding any hearing will be circulated at least 30 days in advance of the hearing. People expressing an interest in this permit will be mailed an individual notice of hearing (WAC 173-220-100).

Comments should reference specific test followed by proposed modification or concern when possible. Comments may address technical issues, accuracy and completeness of information, the scope of the facility's proposed coverage, adequacy of environmental protection, permit conditions, or any other concern that would result from reauthorization of this permit.

The Department will consider all comments received within 30 days from the date of the PNOD indicated above, in formulating a final determination to issue, revise, or deny the permit. The Department's response to all significant comments is available upon request and will be mailed directly to people expressing an interest in this permit.

Further information may be obtained from the Department by telephone at (360) 407-6279, or by writing to the address listed above.

APPENDIX B--RESPONSE TO COMMENTS

This response to comments (RTC) is an appendix to the fact sheet for the above referenced National Pollutant Discharge Elimination System (NPDES) permit. The RTC summarizes comments received during the 30-day public notice and comment period on the draft permit, and provides the Department of Ecology (Department) response. All changes to the draft permit are noted below. The Department has determined to issue this permit as revised.

Comments were received from Citizens for a Healthy Bay.

Comments from Citizens for a Healthy Bay:

1. Comment

Plant upgrade: We support the plans to upgrade the facility and the issues of inflow and infiltration being addressed.

Response:

Comment noted.

2. Comment:

Mixing zone: A mixing zone, which allows discharge of pollutants that exceed the state water quality standards into the Carbon and Puyallup Rivers and Commencement Bay, is not in the spirit of the Clean Water Act. The objective of this act is to “restore and maintain the chemical, physical, and biological integrity of the nation's waters.” The routine authorization of mixing zones is counterproductive to meeting this objective. It is clearly stated in section 1251 of the CWA that, “it is the national policy that the discharge of toxic pollutants in toxic amounts be prohibited,” and that “it is the national goal that the discharge of pollutants into the navigable waters be eliminated by 1985.” The Department of Ecology’s failure to phase out these mixing zones or even to include sunset language, which will encourage movement towards the elimination of these zones does nothing to achieve the goals of the CWA and is in direct violation of the spirit of the act. This wholesale authorization of mixing zones violates water quality standards determined and implemented by the state of Washington. The City of Orting should be required to meet water quality standards at the end of the pipe.

Response:

The mixing zone for the City of Orting’s wastewater treatment facility discharge was established in accordance with, and authorized under, WAC 173-201A-100. The permit process is not the forum to address your concerns which would be better served during the update to WAC 173-201A. No change to permit.

3. Comment:

Anti-degradation: The Carbon River is a class “A” water body. The anti-degradation policy in the state of Washington’s Pollution Control Act WAC 173-201A-070 clearly states, “Existing beneficial uses shall be maintained and protected and no further degradation which would interfere with or become injurious to existing beneficial uses shall be allowed.” Discharging pollutants known to be injurious to fish populations in amounts that exceed state water quality

standards in an area which characterizes fish migration, rearing and spawning habitat among the “beneficial uses” is in violation of this act and should not be allowed.

Response:

The permit limits derived for the discharge from the City of Orting’s wastewater treatment facility are in compliance with the state of Washington water quality standards established in WAC 173-201A. As stated in the previous comment, the proper forum to address your concerns is the update to WAC 173-201A. No change to permit.